AMENDMENT TO H.R. OFFERED BY MR. UPTON OF MICHIGAN

Insert at the appropriate place:

1	SEC	. BOUTIQUE	FUEI	Ls.				
2	(a)	ТЕМ	IPORA	RY	A	VAIVER	s.—Sec	tion
3	211(c)(4)($\mathrm{C})(\mathrm{ii})(\mathrm{II})$	of .	the	Clean	Air	Act	(42
4	U.S.C.754	5(c)(4)(C)((ii)(П))) is a	mended	by ins	erting a	ıfter
5	"equipmer	ıt failure" t	the fol	llowin	g: '', un	expecte	ed probl	lems
6	with distri	ibution or	delive	ry eq	aipment	that i	s neces	sary
7	for transp	ortation an	d del	ivery	of fuel	or fuel	additiv	es".
8	(b) R	EDUCTION	in Nu	MBEI	в от Во	UTIQUI	e Fuel	s.—
.9	Section	211(c)(4)(0	C) c	of s	uch A	.ct (4	12 U.	S.C.
10	7545(c)(4)	(C)) is ame	ended	as fo	llows:			
ĺ1	((1) By red	esigna	ating	the cla	use (v) added	l by
12	sectio	n 1541(b)	of th	ne En	nergy Po	olicy A	ct of 2	005
13	(Publ	ic Law 109	9–58;	119 8	Stat. 11	06) as	clause	(vi).
14	((2) In claus	se (vi)	(as s	o redesi	gnated)—	
15		(A) in	subcl	ause	(I) by s	triking	"appr	oved
16	ι	under this j	parag.	raph	as of Se	eptemb	er 1, 2	004,
17	i	n all State	e impl	lemen	tation p	olans''	and by	r in-
18	8	serting in	lieu t	here	of "set	forth	on the	list
19	r	mblighed n	ınder	subel	lanse (T	T) (or	on the	re-

1	vised list referred to in subclause (III) if the list
2	has been revised)";
3	(B) by amending subclause (III) to read as
4	follows:
5	"(III) The Administrator shall, after notice
6	and opportunity for comment, remove a fuel
7	from the list published under subclause (II) if
8	the Administrator determines that such fuel has
9	ceased to be included in any State implementa-
10	tion plan or is identical to a Federal fuel con-
11	trol or prohibition promulgated and imple-
12	mented by the Administrator. The Adminis-
13	trator shall publish a revised list reflecting the
14	reduction in the number of fuels.";
15	(C) in subclause (IV) by striking "Sub-
16	clause (I)" and inserting "Neither subclause (I)
17	nor subclause (V)" and by striking "not" and
18	by striking "if such new fuel"; and
19	(D) by amending subclause (IV) to read as
20	follows:
21	"(IV) Subclause (I) shall not
22	limit the Administrator's author-
23	ity to approve a control or prohi-
24	bition respecting any new fuel
25	under this paragraph in a State

1	implementation plan or revision
2	to a State implementation plan if
3	such new fuel completely replaces
4	a fuel on the list published under
5	subclause (II) (or the revised list
6	referred to in subclause (III) if
7	the list has been revised) and if
8	the Administrator, after consulta-
9	tion with the Secretary of En-
10	ergy, publishes in the Federal
11	Register after notice and com-
12	ment a finding that, in the Ad-
13	ministrator's judgment, such con-
14	trol or prohibition respecting
15	such new fuel will not cause fuel
16	supply or distribution interrup-
17	tions or have a significant ad-
18	verse impact on fuel producibility
19	in the affected area or contiguous
20	areas.".